

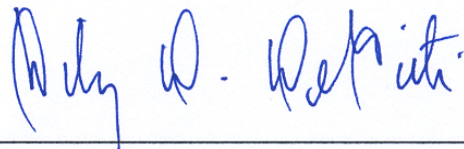
IN THE UNITED STATES DISTRICT COURT FOR THE  
WESTERN DISTRICT OF OKLAHOMA

JAMES P. SURBER, JR.,	)	
	)	
Plaintiff,	)	
	)	
v.	)	Case No. CIV-07-616-D
	)	
MICHAEL J. ASTRUE, Commissioner of	)	
Social Security Administration,	)	
	)	
Defendant.	)	

**JUDGMENT AND ORDER OF REMAND**

Upon review of the file, and noting no timely objection to the findings and recommendations of United States Magistrate Judge Gary M. Purcell issued pursuant to 28 U.S.C. § 636(b)(1), the Court adopts the Report and Recommendation [Doc. No. 18] in its entirety. For the reasons stated therein, the Court enters judgement reversing the decision of the Commissioner and remanding the case for further administrative proceedings, consistent with the Report and Recommendation, regarding the step-five determination that there are jobs that exist in significant numbers in the national economy that Plaintiff can perform considering his age, education, work experience, and residual functional capacity.

Entered this 24<sup>th</sup> day of March, 2008.



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TIMOTHY D. DEGIUSTI  
UNITED STATES DISTRICT JUDGE